

No. 11(112)-3Lab-78/10021.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947, (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workmen and the management of M/s Bata India Ltd., N.I.T., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No 52 of 1976

between

THE WORKMEN AND THE MANAGEMENT OF M/S BATA INDIA LIMITED, N. I. T.,
FARIDABAD

Present :—

Shri Kirpal Singh Bhatia, for the workmen.

Shri C. M. Lall and Shri K. B. Sakhuja, for the management.

AWARD

By order No. ID/7936, dated the 23rd February, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Bata India Limited, N. I. T., Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the workmen are entitled to the grant of bonus for the year 1975 ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 30th March, 1977.

- (1) Whether the workmen are entitled to grant of bonus for the period from July, 1975 to December, 1975 at the settled rates or for the whole year 1975 ?
- (2) Whether the agreement, dated 1st August, 1971 under which the bonus was payable expired on 31st December, 1974 ?
- (3) If issue No. 2 is proved, all the workmen are not entitled to bonus under issue No. 1 ?
- (4) Whether the workmen are not entitled to bonus under issue No. 1 in view of the payment of bonus amendment ordinance ?
- (5) Relief ?
- (6) Whether the workmen raised the demand with management directly ?
- (7) If issue No. 6 is not proved whether the reference is illegal and invalid ?
- (8) Whether the management is estopped from denying the workmen bonus for July, 1975 to December, 1975 by conduct or otherwise ?

The case was fixed for the evidence of the workmen. The workmen examined Shri Kirpal Singh, Bhatia, General Secretary, of the workers Union as W. W. 1 and Shri Bali Ram as W. W. 2 and closed their case.

Then the case was fixed for the evidence of the management. The management examined Shri L. K. Narain, their Personnel Manager as M. W. 1 and closed their case.

Then the case was fixed for arguments. Arguments were heard.

It was at this stage that a settlement was arrived at between the parties. The statement of the General Secretary of the workmen's union was recorded. The parties filed a written settlement also which is Ex. M. W. 1. As per the settlement, the bonus at the rate of 8.33% for the year 1975 shall be paid by the management to their workmen as the company had declared the same and the

workmen have agreed to receive the same. It was further agreed that the payment of bonus already made by the management to the workmen for the first and second quarters of the year 1975 shall be adjusted against the total entitlement at the rate of 8.33% for the said year and the balance, if any, shall be adjusted in week 40/78. Both the parties prayed that award may be given as per the settlement.

While answering the reference, I give my award that the workmen are entitled to the grant of bonus for the year 1975 at the rate of 8.33% and the bonus already paid for the first and second quarters of 1975, shall be adjusted against that.

Dated 27th October, 1978.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1089, Dated the 6th November, 1978

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)3Lab-78/10067.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/s Mangla Industries Jagadhri.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No 21 of 1978

between

SHRI MOHMAAD YAMIN WORKMAN AND MANAGEMENT OF M/S MANGLA INDUSTRIES
JAGADHRI

Present :—

Shri Surinder Kumar for the workman.

Shri Subhash Chander for the management.

AWARD

By order No. ID/AMB/629-77/4379, dated 6th February, 1978 the Governor of Haryana referred the following dispute between the management of M/s Mangla Industries, Jagadhri and its workman Shri Mohmad Yamin to this Court for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of the services of Shri Mohmad Yamin was justified and in order ?
If not, to what relief is he entitled ?

On receipt of order of reference notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties the following issues were framed on 28th August, 1978 :—

1. Whether the applicant left his job voluntarily and has settled his dispute fully and finally ? If so to what effect ?
2. If issue No. 1 is not proved in favour of the management ? Whether the termination of services of the workman was justified and in order ?
3. If not to what relief is he entitled ?

The case was fixed for the evidence of the management. Admission and denial of documents was also ordered. The appearance of the workman in person was also directed. On the next date of hearing both the parties stated that the workman has taken in full and final accounts and has given an executed receipt in proof thereof. In view of these circumstances I answer the reference and give my award that the termination of services of the workman concerned was justified and in order. He is not entitled to any relief as he has received all his dues and claims.

Dated 12th October, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2924, Dated 6th November, 1978

Forwarded (two copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court Haryana,
Rohtak.

No. 11(112)-3Lab-78/10068.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/s. Haryana Rang Udyog Bahalgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 75 of 1978

Between

SHRI HARI CHAND WORKMAN AND THE MANAGEMENT OF M/S HARYANA
RANG UDYOG., BAHALGARH

Present :—

Workman in person.

Shri G. S. Bhalla, for the management.

AWARD

By order No. ID/RTK/21-78/17996, dated 11th May, 1978 the Governor of Haryana referred the following dispute between the management of M/s Haryana Rang Udyog Bahalgarh and its workman Shri Hari Chand, to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Hari Chand was justified and in order ? If not, the what relief is he entitled ?

On receipt of the order of reference notice were issued to the parties. The parties appeared but the workman made a statement that he had received all his dues and claims fully, and there was no dispute between him and the management and he did not want to proceed with the reference praying that his case may be filed. In view of the statement of the workman I, answer the reference and give my award that the termination of services of the workman concerned Shri Hari Chand was justified and in order. He is not entitled to any relief.

Dated the 12th October, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2925, Dated the 6th November, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.